

REMARKS

Claims 73, 79 and 92 are amended and claims 76, 77, 81 and 82 are canceled without prejudice or disclaimer. After entry of this amendment, claims 1-4, 6-14, 16-30, 33-42, 45-50, 52-55, 57-62, 65-75, 79-80, 84-89 and 92-108 are pending.

Claims 46-47, 49, 52, 54, 58 and 65 stand rejected under the doctrine of obviousness-type double patenting over claims 1-4, 13 and 23 of US Patent 6,132,774. Applicants respectfully traverse. To expedite prosecution, however, Applicants submit herewith a terminal disclaimer that is believed to overcome the rejection.

Applicants thank the Examiner for noting that claims 1-4, 6-14, 16-30, 33-42, 66-77, 84-89 and 92-108 are allowed.

Applicants respectfully request that the Examiner acknowledge their claim for domestic priority under 35 U.S.C. §§ 119(e) and 120. Also, Applicants respectfully request consideration of the Information Disclosure Statements filed December 13, 2000 and January 21, 2001, copies of which are attached. If the Examiner requires duplicate copies of the references provided with these two Information Disclosure Statements, please telephone the undersigned and duplicate copies will gladly be provided. Also, Applicants file herewith an Information Disclosure Statement and respectfully request consideration of those references cited, which were cited in a proceeding involving a related foreign application.

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Applicants respectfully submit that after entry of this amendment, the application is in condition for allowance. An early notice of allowance is requested. Applicants also repeat their request of March 27, 2001 that an interference be declared between the present application and US Patent 6,043,026 and any continuing and divisional application thereof.

This paper is accompanied by a request for a two-month extension of time and the appropriate fee. If any additional fees are required, please charge any amount due to Deposit Account No. 03-2775.

Respectfully submitted,

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APPENDIX
MARKED-UP CLAIMS

73. (Twice Amended) A pharmaceutical composition comprising:
- a. a therapeutically effective amount of a first compound, said first compound being raloxifene, tamoxifen or idoxifene; and
 - b. a therapeutically effective amount of a second compound, said second compound being a ~~parathyroid hormone~~ or growth hormone.
79. (Twice Amended) A method for treating a mammal having a condition which presents with low bone mass comprising administering to a mammal having a condition which presents with low bone mass
- a. a therapeutically effective amount of a first compound, said first compound being raloxifene, tamoxifen or idoxifene; and
 - b. a therapeutically effective amount of a second compound, said second compound being a ~~parathyroid hormone~~ or growth hormone.
92. (Twice Amended) A kit containing a treatment for a condition which presents with low bone mass comprising:
- a. a therapeutically effective amount of raloxifene, tamoxifen or idoxifene; and a pharmaceutically acceptable carrier in a first unit dosage form;
 - b. a therapeutically effective amount of a ~~parathyroid hormone~~ or growth hormone and a pharmaceutically acceptable carrier in a second unit dosage form; and

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- c. container means for containing said first and second dosage forms.